In the specification:

Please replace the first two paragraphs of page 17 with the following paragraphs:

If the pilot channel is not active, channel detection agent 214 determines whether additional pilot channels are available, block 624. In accordance with one example implementation, once the channel detection agent 214 ~~314~~ has traversed the pilot channel list, it concludes that the currently tuned channel is the last channel. If the pilot channel is not active, and the current channel is the last channel (block 624), channel detection agent 314 generates an error indication, block 626. In accordance with one example implementation, the error indication is sent to control logic 202 which provides a user with an error indication such as, e.g., changing the status of an LED indicator on the faceplate of the cable modem.

If, in block 624, channel detection agent 214 ~~314~~ identifies additional potential pilot channels, channel detection agent 214 ~~314~~ sets the tuner module 304 to the next pilot channel in the pilot channel list, block 628 and the process continues with block 622.

Please replace the last paragraph of page 18 with the following paragraph:

Turning to Fig. 7B, an example method of detecting a marked data channel is presented, in accordance with another embodiment of the present invention. As shown, the method begins with block 720, wherein channel detection agent 214 instructs tuner module 304 to tune to a first possible channel within the broadband spectrum. In block 722, channel detection agent 214 determines whether the pilot tone "marker" is evident within the channel. In accordance with one example implementation, channel detection agent 214 analyzes the channel components to detect the baseband frequency offset. That

is, an initial QAM demodulation is performed and channel detection agent 214 ~~314~~ performs a check to determine if the I and Q components of the channel are offset from one another. In an alternate implementation, further receive processing is performed, as necessary, to detect whether a CW tone is evident.

Please replace the first two full paragraphs of page 19 with the following paragraphs:

If, in block 722, channel detection agent 214 does not detect the pilot tone, channel detection agent 214 ~~314~~ determines whether additional channels are available, block 724. In accordance with one example implementation, once the channel detection agent 214 ~~314~~ has traversed the all of the channels within the broadband spectrum, it concludes that the currently tuned channel is the last channel. If the channel does not include a pilot tone, and the current channel is the last channel (block 724), channel detection agent 214 ~~314~~ generates an error indication, block 726. In accordance with one example implementation, the error indication is sent to control logic 202 which provides a user with an error indication such as, e.g., changing the status of an LED indicator on the faceplate of the cable modem.

If, in block 724, channel detection agent 214 ~~314~~ identifies additional channels, channel detection agent 214 ~~314~~ sets the tuner module 304 to the next channel, block 728 and the process continues with block 722.